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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

No. CR-08-0531-JSW

v.

STIPULATION AND ~~PROPOSED~~
ORDER DOCUMENTING WAIVER

JONATHAN CRUZ-RAMIREZ,

Defendant.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order excluding time under Speedy Trial Act from August 28, 2008 until September 11, 2008 at 2:30 pm. The parties agree and stipulate, and the Court finds and holds, as follows:

1. The defendant, Jonathan Cruz-Ramirez, was charged in a complaint dated July 29, 2008 with one count of illegal re-entry into the United States, in violation of 8 U.S.C. § 1326. The defendant was arrested on July 28, 2008. On July 30, 2008 Susan Raffanti, Esq., was appointed to represent the defendant and has represented the defendant since.

2. On August 7, 2008, the Grand Jury indicted the defendant on one count of illegal re-entry, in violation of 8 U.S.C. § 1326, and one count of alien in possession of a firearm, in

violation of 18 U.S.C. § 922(g)(5). The defendant was arraigned before Magistrate Judge Spero on August 1, 2008, who scheduled August 28, 2008 as the initial conference before Judge White.

3. The parties appeared before Judge White on August 28, 2008 and reported that the Government had already begun producing discovery and was still in the process of doing so. The parties, therefore, requested another trial setting hearing before the Court on September 11, 2008, which the Court granted. The parties also agreed that exclusion of time for Speedy Trial Act calculations would be appropriate so that the Government could continue to produce discovery, and so that the defense could review discovery, thereby ensuring effective preparation of counsel. The Court granted another hearing for the parties for September 11, 2008 at 2:30 pm, and also granted the request to exclude time under the Speedy Trial Act.

4. Accordingly, with the consent of the defendant, the Court hereby confirms its exclusion of the time between August 28, 2008 and September 11, 2008 from Speedy Trial Act calculations for the reasons set forth above.

STIPULATED:

DATED: September 4, 2008

/s/
SUSAN RAFFANTI, ESQ.
Attorney for JONATHAN CRUZ-RAMIREZ

DATED: September 4, 2008

/s/
W.S. WILSON LEUNG
Assistant United States Attorney

IT IS SO ORDERED.

DATED: September 5, 2008


HON. JEFFREY S. WHITE
United States District Judge